

***What is claimed is:***

1. A method of evaluating actions under international law comprising:  
identifying an action and the action's effects; and  
performing a Primary Schmitt analysis comprising  
determining the action's Severity,  
determining the action's Immediacy,  
determining the action's Directness,  
determining the action's Invasiveness,  
determining the action's Measurability,  
determining the action's Presumptive Legitimacy, and  
determining Responsibility for the action.
2. The method of claim 1, further comprising:  
assigning a numerical Severity magnitude in response to determining the action's Severity;  
assigning a numerical Immediacy magnitude in response to determining the action's Immediacy;  
assigning a numerical Directness magnitude in response to determining the action's Directness;  
assigning a numerical Invasiveness magnitude in response to determining the action's Invasiveness;  
assigning a numerical Measurability magnitude in response to determining the action's Measurability;  
assigning a numerical Presumptive Legitimacy magnitude in response to determining the action's Presumptive Legitimacy; and  
assigning a numerical Responsibility magnitude in response to determining Responsibility for the action.
3. The method of claim 1 wherein determining the action's Severity comprises:  
ascertaining how many people were killed;

ascertaining how large an area was affected;  
ascertaining how much damage was done within the area; and  
assigning a Severity magnitude responsive to the ascertaining steps.

4. The method of claim 3 wherein  
the Severity magnitude is within the range of zero to about 3 if people are unaffected or there is no discernable property damage,  
the Severity magnitude is within the range of about 4 to about 6 if people are injured or there is moderate property damage, and  
the Severity magnitude is within the range of about 7 to about 10 if people are killed or there is severe property damage.
5. The method of claim 1 wherein determining the action's Immediacy comprises:  
ascertaining a duration of the action;  
ascertaining how soon the effect is felt;  
ascertaining how soon the effect abates; and  
assigning an Immediacy magnitude responsive to the ascertaining steps.
6. The method of claim 5 wherein  
the Immediacy magnitude is within the range of zero to about 3 if the effect lasts less than an hour,  
the Immediacy magnitude is within the range of about 4 to about 6 if the effect lasts a few hours or days, and  
the Immediacy magnitude is within the range of about 7 to about 10 if the effect lasts a few weeks or longer.
7. The method of claim 1 wherein determining the action's Directness comprises:  
ascertaining whether the action can be distinguished from parallel or competing actions;  
ascertaining whether the action was a cause of the effect; and  
assigning a Directness magnitude responsive to the ascertaining steps.

8. The method of claim 7 wherein  
the Directness magnitude is within the range of zero to about 3 if the action did not cause any part of the effect,  
the Directness magnitude is within the range of about 4 to about 6 if the action is one cause of the effect, and  
the Directness magnitude is within the range of about 7 to about 10 if the action is the sole cause of the effect.
9. The method of claim 1 wherein determining the action's Invasiveness comprises:  
ascertaining whether the action involved physically crossing a target country's border;  
ascertaining whether the action's locus was within the target country; and  
assigning an Invasiveness magnitude responsive to the ascertaining steps.
10. The method of claim 9 wherein  
the Invasiveness magnitude is within the range of zero to about 3 if the action did not consist of crossing the target country's border or the action has no identifiable locus within the target country,  
the Invasiveness magnitude is within the range of about 4 to about 6 if the action consisted of electronically crossing the target country's border or the action's locus was diffuse, and  
the Invasiveness magnitude is within the range of about 7 to about 10 if the action consisted of physically crossing the target country's border and the action's locus was within the target country.
11. The method of claim 1 wherein determining the action's Measurability comprises:  
ascertaining whether the effect can be quantified;  
ascertaining whether the effect is distinct from the results of parallel or competing actions;  
ascertaining a level of certainty of the effect; and  
assigning a Measurability magnitude responsive to the ascertaining steps.

12. The method of claim 11 wherein  
the Measurability magnitude is within the range of zero to about 3 if the effect cannot be separated from parallel or competing actions or the certainty is low,  
the Measurability magnitude is within the range of about 4 to about 6 if the effect can be estimated with moderate certainty, and  
the Measurability magnitude is within the range of about 7 to about 10 if the effect can be quantified immediately with high certainty.

13. The method of claim 1 wherein determining the action's Presumptive Legitimacy comprises:

ascertaining whether the action is customarily accepted within the international community;

ascertaining whether the action's means are qualitatively similar to those presumed legitimate under international law; and

assigning a Presumptive Legitimacy magnitude responsive to the ascertaining steps.

14. The method of claim 13 wherein

the Presumptive Legitimacy magnitude is within the range of zero to about 3 if the action is accomplished electronically and the effect is not apparent in the physical world,

the Presumptive Legitimacy magnitude is within the range of about 4 to about 6 if the action is accomplished electronically and the effect is apparent in the physical world, and

the Presumptive Legitimacy magnitude is within the range of about 7 to about 10 if the action is accomplished by physical means.

15. The method of claim 1 wherein determining Responsibility for the action comprises:

ascertaining whether the action is directly attributable to an actor;

ascertaining whether the action is indirectly attributable to the actor; and

assigning a Responsibility magnitude responsive to the ascertaining steps.

16. The method of claim 15 wherein  
the Responsibility magnitude is within the range of zero to about 3 if the action can not be attributable to the actor or the actor's involvement is low,  
the Responsibility magnitude is within the range of about 4 to about 6 if a target country has knowledge of the actor's involvement but the actor does not acknowledge responsibility for the action, and  
the Responsibility magnitude is within the range of about 7 to about 10 if the actor acknowledges responsibility for the action and the actor's involvement is high.
17. The method of claim 2, further comprising:  
calculating an arithmetic average of the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility magnitude.
18. The method of claim 17, further comprising:  
displaying the arithmetic average, the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility magnitude.
19. The method of claim 18 wherein displaying comprises:  
displaying each of the arithmetic average, the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility magnitude on a scale from zero to ten.
20. The method of claim 18 wherein displaying comprises:  
displaying each of the arithmetic average, the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility magnitude on a bar graph.

21. The method of claim 17, further comprising:  
determining responsive to the arithmetic average whether the action is a use of  
force according to United Nations Charter Article 2(4).
22. The method of claim 17, further comprising:  
reevaluating the action's Severity;  
reevaluating the action's Immediacy;  
reevaluating the action's Directness;  
reevaluating the action's Invasiveness;  
reevaluating the action's Measurability;  
reevaluating the action's Presumptive Legitimacy; and  
reevaluating Responsibility for the action.
23. The method of claim 22, further comprising:  
assigning a revised Severity magnitude in response to reevaluating the action's  
Severity; and  
recalculating an arithmetic average of the revised Severity magnitude, the  
Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the  
Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility  
magnitude.
24. The method of claim 22, further comprising:  
assigning a revised Immediacy magnitude in response to reevaluating the action's  
Immediacy; and  
recalculating an arithmetic average of the Severity magnitude, the revised  
Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the  
Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility  
magnitude.

25. The method of claim 22, further comprising:  
assigning a revised Directness magnitude in response to reevaluating the action's Directness; and  
recalculating an arithmetic average of the Severity magnitude, the Immediacy magnitude, the revised Directness magnitude, the Invasiveness magnitude, the Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility magnitude.
26. The method of claim 22, further comprising:  
assigning a revised Invasiveness magnitude in response to reevaluating the action's Invasiveness; and  
recalculating an arithmetic average of the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the revised Invasiveness magnitude, the Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility magnitude.
27. The method of claim 22, further comprising:  
assigning a revised Measurability magnitude in response to reevaluating the action's Measurability; and  
recalculating an arithmetic average of the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the revised Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility magnitude.
28. The method of claim 22, further comprising:  
assigning a revised Presumptive Legitimacy magnitude in response to reevaluating the action's Presumptive Legitimacy; and  
recalculating an arithmetic average of the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the Measurability magnitude, the revised Presumptive Legitimacy magnitude, and the Responsibility magnitude.

29. The method of claim 22, further comprising:  
assigning a revised Responsibility magnitude in response to reevaluating the Responsibility for the action; and  
recalculating an arithmetic average of the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the Measurability magnitude, the Presumptive Legitimacy magnitude, and the revised Responsibility magnitude.
30. The method of claim 2 further comprising the step of:  
performing a Secondary Schmitt analysis.
31. The method of claim 30 wherein performing a Secondary Schmitt analysis comprises:  
assigning a legal weight to each of  
the Severity magnitude,  
the Immediacy magnitude,  
the Directness magnitude,  
the Invasiveness magnitude,  
the Measurability magnitude,  
the Presumptive Legitimacy magnitude, and  
the Responsibility magnitude; and  
multiplying  
the Severity magnitude by its legal weight to produce a Severity result,  
the Immediacy magnitude by its legal weight to produce an Immediacy result,  
the Directness magnitude by its legal weight to produce a Directness result,  
the Invasiveness magnitude by its legal weight to produce an Invasiveness result,  
the Measurability magnitude by its legal weight to produce a Measurability result,



the Presumptive Legitimacy magnitude by its legal weight to produce a Presumptive Legitimacy result, and

the Responsibility magnitude by its legal weight to produce a Responsibility result.

32. The method of claim 31 wherein the legal weights are values from zero to ten.

33. The method of claim 31 further comprising:

adding the Severity result, the Immediacy result, the Directness result, the Invasiveness result, the Measurability result, the Presumptive Legitimacy result, and the Responsibility result to produce an aggregate sum, and

dividing the aggregate sum by a sum of the legal weight of the Severity magnitude, the legal weight of the Immediacy magnitude, the legal weight of the Directness magnitude, the legal weight of the Invasiveness magnitude, the legal weight of the Measurability magnitude, the legal weight of the Presumptive Legitimacy magnitude, the legal weight of the Responsibility magnitude to calculate a weighted magnitude.

34. The method of claim 31, further comprising:

displaying

the Severity magnitude and its legal weight,  
the Immediacy magnitude and its legal weight,  
the Directness magnitude and its legal weight,  
the Invasiveness magnitude and its legal weight,  
the Measurability magnitude and its legal weight,  
the Presumptive Legitimacy magnitude and its legal weight, and  
the Responsibility magnitude and its legal weight.

35. The method of claim 33, further comprising:

displaying the weighted magnitude.

36. The method of claim 33, further comprising:  
determining responsive to the weighted magnitude whether the action is a use of force according to United Nations Charter Article 2(4).
37. The method of claim 30, further comprising:  
identifying a second action and the second action's effect;  
performing a second Primary Schmitt analysis;  
performing a second Secondary Schmitt analysis  
comparing results of the two Secondary Schmitt analyses.
38. A computer program product comprising a computer usable medium having computer program logic recorded thereon for enabling a processor in a computer system to facilitate performing Primary and Secondary Schmitt analyses, said computer program logic comprising:  
storage means for enabling the processor to store a Severity magnitude, an Immediacy magnitude, a Directness magnitude, an Invasiveness magnitude, a Measurability magnitude, a Presumptive Legitimacy magnitude, a Responsibility magnitude, and each of their legal weights; and  
calculating means for calculating  
an arithmetic average of the Severity magnitude, the Immediacy magnitude, the Directness magnitude, the Invasiveness magnitude, the Measurability magnitude, the Presumptive Legitimacy magnitude, and the Responsibility magnitude,  
a product of the Severity magnitude and its legal weight to produce a Severity result,  
a product of the Immediacy magnitude and its legal weight to produce an Immediacy result,  
a product of the Directness magnitude and its legal weight to produce a Directness result,  
a product of the Invasiveness magnitude and its legal weight to produce an Invasiveness result,

a product of the Measurability magnitude and its legal weight to produce a Measurability result,

a product of the Presumptive Legitimacy magnitude and its legal weight to produce a Presumptive Legitimacy result,

a product of the Responsibility magnitude and its legal weight to produce a Responsibility result,

a sum of the Severity result, the Immediacy result, the Directness result, the Invasiveness result, the Measurability result, the Presumptive Legitimacy result, and the Responsibility result to produce an aggregate sum, and

a quotient of the aggregate sum divided by a sum of the legal weight of the Severity magnitude, the legal weight of the Immediacy magnitude, the legal weight of the Directness magnitude, the legal weight of the Invasiveness magnitude, the legal weight of the Measurability magnitude, the legal weight of the Presumptive Legitimacy magnitude, the legal weight of the Responsibility magnitude to produce a weighted magnitude.

39. An analysis system comprising:

a data processing apparatus, and

input means for inputting instructions to said apparatus to perform a Schmitt analysis responsive to

a selected Severity magnitude and its selected legal weight,

a selected Immediacy magnitude and its selected legal weight,

a selected Directness magnitude and its selected legal weight,

a selected Invasiveness magnitude and its selected legal weight,

a selected Measurability magnitude and its selected legal weight,

a selected Presumptive Legitimacy magnitude and its selected legal weight,

and

a selected Responsibility magnitude and its selected legal weight.

40. The system of claim 30 further comprising:

means for storing and retrieving

the selected Severity magnitude and its selected legal weight,

the selected Immediacy magnitude and its selected legal weight,  
the selected Directness magnitude and its selected legal weight,  
the selected Invasiveness magnitude and its selected legal weight,  
the selected Measurability magnitude and its selected legal weight,  
the selected Presumptive Legitimacy magnitude and its selected legal  
weight, and  
the selected Responsibility magnitude and its selected legal weight.

41. The system of claim 39 further comprising:  
means for displaying

the selected Severity magnitude and its selected legal weight,  
the selected Immediacy magnitude and its selected legal weight,  
the selected Directness magnitude and its selected legal weight,  
the selected Invasiveness magnitude and its selected legal weight,  
the selected Measurability magnitude and its selected legal weight,  
the selected Presumptive Legitimacy magnitude and its selected legal  
weight, and  
the selected Responsibility magnitude and its selected legal weight.